IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF TEXAS DALLAS DIVISION

TOWN NORTH BANK, N.A.,

Plaintiff,

v.

SHAY FINANCIAL SERVICES, INC.,
UBS FINANCIAL SERVICES, INC.,
MORGAN STANLEY & CO., LLC.

SHAY FINANCIAL SERVICES, INC., UBS FINANCIAL SERVICES, INC., MORGAN STANLEY & CO., LLC, MERRILL LYNCH & CO., INC., and J.P. MORGAN SECURITIES LLC, Successor In Interest to BEAR STEARNS & CO., INC.,

Defendants.

Civil Action No. 3:11-cv-03125-L

DEFENDANTS' UNOPPOSED MOTION TO EXTEND TIME TO RESPOND TO PLAINTIFF'S COMPLAINT

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Defendants respectfully file this Unopposed Motion To Extend Time to Respond to Plaintiff's Complaint and seek an extension to answer, move, or otherwise respond (including any motion under Federal Rule of Civil Procedure 12) to Plaintiff's Complaint until on or before February 10, 2012. Granting this brief 46-day extension would not materially delay this litigation, which was filed on November 11, 2011, and served on several of the Defendants on December 5, 2011, making the response date the day after Christmas. Defendants' also move that any response from Plaintiff, including any filing pursuant to Federal Rule of Civil Procedure 15(a)(1)(B), be due on March 26, 2012, with any further replies from Defendants due on April 25, 2012.

Plaintiff does not oppose this Motion.

Plaintiff and Defendants have conferred in good faith, and this Motion is not filed for purposes of unreasonable delay.

WHEREFORE, PREMISES CONSIDERED, Defendants respectfully request that this Court grant their Unopposed Motion to Extend Time to Respond to Plaintiff's Complaint and set the Defendants' deadline as February 10, 2012. Defendants also request that any response from Plaintiff be due on March 26, 2012. Defendants further request that any reply from Defendants be due April 25, 2012.

Respectfully Submitted,

SECORE & WALLER, L.L.P.

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DEFENDANTS' UNOPPOSED MOTION TO EXTEND TIME TO RESPOND TO PLAINTIFF'S COMPLAINT 95377551.1 / 11112113

CERTIFICATE OF CONFERENCE

Through representatives, counsel for Plaintiff and counsel for Defendants conferred on December 21, 2011 regarding the substance of this Unopposed Motion, and all parties are unopposed and agree to the relief sought by this motion.

/s/Ellen Sessions
Ellen Sessions

CERTIFICATE OF SERVICE

I hereby certify that on December 21, 2011 I electronically filed the foregoing Defendants' Unopposed Motion to Extend Time to Respond to Plaintiff's Complaint with the Clerk of the Court using the ECF System for the Northern District of Texas which will send notification of such filing to all registered participants.

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